

SECOND REGULAR SESSION

SENATE BILL NO. 899

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATORS JUSTUS AND SCHAAF.

Read 1st time February 19, 2014, and ordered printed.

TERRY L. SPIELER, Secretary.

6095S.01I

AN ACT

To amend chapter 208, RSMo, by adding thereto one new section relating to MO HealthNet coverage for donor breast milk.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 208, RSMo, is amended by adding thereto one new
2 section, to be known as section 208.141, to read as follows:

**208.141. 1. The department of social services shall reimburse a
2 hospital for prescribed medically necessary donor human breast milk
3 provided to a MO HealthNet participant if:**

4 **(1) The participant is an infant under the age of three months;**

5 **(2) The participant is critically ill;**

6 **(3) The participant is in the neonatal intensive care unit of the
7 hospital;**

8 **(4) A physician orders the milk for the participant;**

9 **(5) The department determines that the milk is medically
10 necessary for the participant;**

11 **(6) The parent or guardian signs and dates an informed consent
12 form indicating the risks and benefits of using banked donor human
13 milk; and**

14 **(7) The milk is obtained from a donor human milk bank that
15 meets the quality guidelines established by the department.**

16 **2. An electronic web-based prior authorization system using the
17 best medical evidence and care and treatment guidelines consistent
18 with national standards shall be used to verify medical need.**

19 **3. The department shall promulgate rules for the implementation
20 of this section, including setting forth rules for the required
21 documentation by the physician and the informed consent to be**

22 provided to and signed by the parent or guardian of the participant.
23 Any rule or portion of a rule, as that term is defined in section 536.010,
24 that is created under the authority delegated in this section shall
25 become effective only if it complies with and is subject to all of the
26 provisions of chapter 536, and, if applicable, section 536.028. This
27 section and chapter 536, are nonseverable and if any of the powers
28 vested with the general assembly pursuant to chapter 536, to review, to
29 delay the effective date, or to disapprove and annul a rule are
30 subsequently held unconstitutional, then the grant of rulemaking
31 authority and any rule proposed or adopted after August 28, 2014, shall
32 be invalid and void.

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Bill

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